

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CORRY METAL FURNITURE, INC., :
Plaintiff, :
vs. :
VANERUM STELTER, LLC, : Civil Action No. 1:17-CV-20
Defendant. :

**MOTION TO REINSTATE MATTER
AND TO ENTER JUDGMENT BY CONSENT**

AND NOW, comes the Petitioner, Corry Metal Furniture, Inc., by and through its counsel, the Quinn Law Firm, and moves this Honorable Court to reinstate this matter and to enter judgment by consent, and in support thereof states as follows:

1. The Plaintiff, Corry Metal Furniture, Inc. ("CMF"), is a corporation duly organized under the laws of the Commonwealth of Pennsylvania with principal address of 21 Maple Avenue, Corry, Pennsylvania 16407. CMF is a wholly owned subsidiary of Corry Contract, Inc. CMF is represented by Michael P. Kruszewski, Esquire, and the Quinn Law Firm, 2222 West Grandview Boulevard, Erie, Pennsylvania 16506.
2. Upon information and belief, the Defendant, Vanerum Stelter, LLC (the "Defendant"), is a company duly organized under the laws of the State of Michigan. Pleadings can be served on the Defendant via its Registered Agent, James Stelter, CEO, with a mailing address of 549 Ionia Avenue SW, Grand Rapids, Michigan 49503-5138. The Defendant is represented by Michael J. Roth, Esquire, Varnum, LLP, 333 Bridge Street, NW, Suite 1700, Grand Rapids, Michigan 49504.
3. On or about June 28, 2018 this Honorable Court entered a Minute Order (doc. #24) granting a Stipulated Order of Conditional Dismissal (doc. #23) where it

stated "should any party fail to adhere to the terms and conditions stipulated in the parties' Agreement, then this matter may be reinstated for the sole purpose of enforcing the agreement and including entering a consent judgment in accordance with the Agreement". A copy of the Stipulated Order of Conditional Dismissal is attached hereto and marked as Exhibit A.

4. The Defendant is in breach of the Settlement and Release Agreement (the "Agreement") reached between the parties dated June 28, 2017 in that Defendant has failed to timely make sufficient payments and has failed to provide the proper reporting pursuant to Paragraph 1. A copy of the Settlement and Release Agreement is attached hereto and marked as Exhibit B.

5. Attached herewith as Exhibit C is a copy of the Consent Judgment as executed by Defendant's counsel, which acts as proof of liability for judgment to be entered.

WHEREFORE, the Petitioner, Corry Metal Furniture, Inc., hereby requests that this Honorable Court enter an reinstating this matter and entering judgment in favor of the Plaintiff and against the Defendant.

Respectfully submitted,

QUINN, BUSECK, LEEMHUIS, TOOHEY
& KROTO, INC.

By /s/Michael P. Kruszewski

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